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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
LIN, KELVIN Y	
ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/964,036

Applicant(s)

MAZZITELLI, JOHN JOSEPH

Examiner

Kelvin Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Detailed Action

Response to Affidavit – Swearing Back of Reference

1. The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the Wu et al., (USPN 6865680) reference. The Examiner has reconsider the submitted Affidavit dated on 7/17/2006. The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Wu et al., (USPN 6865680) reference to either a constructive reduction to practice or an actual reduction to practice. Based on the submitted Exhibit A, Applicant fails to show the activities between the date of reference of Wu and the application filing date. *establishing* AC
diligence.
2. Therefore, the rejection of claims 1-23 is maintained.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-12, and 14-23 are rejected under 35 USC 102(e) as being anticipated by Wu et al., (USPN 6865680).

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3. Regarding claim 1, Wu teaches a method for managing state data, comprising:

- identifying state data from a response structured using an Internet communications protocol to be delivered to a uniquely identifiable client enabled to communicate using the Internet communications protocol (Wu, col. 11, l.57-67, in which the session ID is of the form of a cookies which is implemented on the Internet platform, see col.3, l.39-40));
- associating the state data with the client (Wu, col.12, l.7-26);
- storing the state data in a data storage area remote from the client (Wu, col.12, l.4-6) ; and
- delivering the response to the client (Wu, Fig. 5, element 71, the session ID and IP address is passed back to the user).

4. Regarding claim 2, Wu further discloses the method of claim 1, further comprising:

- receiving a request structured using the Internet communications protocol from the client (Wu , col.4, l.60-63);
- identifying a client ID of the client (Wu, col.5, l.2-5);
- modifying the request by adding the state data from the data storage area to the request; and sending the modified request to a web server (Wu, col.11, l.48-50).

5. Regarding claim 3, Wu further discloses the method of claim 2, further comprising:

- determining whether the client ID is recognized (Wu, col.5, l.2-5, in which the session ID is retrieved from the data source that is to ensure the client ID is recognized); and
 - modifying the request by adding the state data from the data storage area to the request if the client ID is recognized (Wu, Wu, col.11, l.48-50) .
6. Regarding claim 4, Wu further discloses the method of claim 1, wherein the client is a wireless device (Wu, col.8, l.45-46).
7. Regarding claim 5, Wu further discloses the method of claim 4, wherein the client utilizes one of the protocols from the group consisting of a wireless application protocol and a HyperText Transfer protocol (Wu, col.2, l.1-3).
8. Regarding claim 6, Wu further discloses the method of claim 1, wherein the data storage area comprises a database (Wu, col.11, l.65, col.12,l.5-6, session ID is a binary file and stored in gateway).
9. Regarding claim 7, Wu further discloses the method of claim 1, further comprising associating the state data with the client using a database (Wu, col. 12, l.l.10-11).
10. Regarding claims 8-12, have similar limitations as claims 1-5.
Therefore, claims 8-12 are rejected for the same reasons set forth in the rejection of claims 1-5.
11. Regarding claims 14-15, have similar limitations as claims 6-7.
Therefore, claims 14-15 are rejected for the same reasons set forth in the

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rejection of claims 6-7.

12. Regarding claims 16-22, have similar limitations as claims 1-7.

Therefore, claims 16-22 are rejected for the same reasons set forth in the rejection of claims 1-7.

13. Regarding claim 23, Wu further discloses the application of claim 16, wherein the application software comprises one of a plurality of receivers in the server, the receivers each operable to receive and transfer message using a unique protocol (Wu, col.2, l.20-25).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 13 is rejected under 35 USC 103(a) as being unpatentable over by Wu in view of Nachman et al., (U.S. PG Pub 2001/0027474).

Wu does not specifically disclose the JAVA language is implementing in the managing state data.

However, Nachman discloses that,

14. Regarding claim 13, Nachman further discloses the method of claim 8, wherein the application comprises at least one class implemented in the JAVA language (Nachman, pae 3, [0040], in which the JAVA applet is implemented for HTTP,

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and WML).

Because knowing the Java applet has been implemented in the HTTP, WML for clientless real time message between internet user and transacting of secure E-commerce, it would have been obvious to use the JAVA language of Nachman to incorporate with Wu's structure to enhance the capability of security.

Therefore, the claimed invention would have been obvious to one of ordinary skill in the art at the time of the invention.

Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first replay is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE MONTH** shortened statutory period, then the shortened statutory period will expire on the date advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTH** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898.

The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

09/27/06

KYL



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER